

## UNITED STATES DISTRICT COURT

for the  
District of Arizona

United States of America )

v. )

Jorge Medina-Lizzarraga, ) Case No. 17-9509 MJ

a.k.a.: Florentino Mendoza-Lopez, )

a.k.a.: Florentino Mendoza Lopez, )

(087 531 139) )

Defendant

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of October 27, 2017, in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:

Jorge Medina-Lizzarraga, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Nogales, Arizona, on or about December 3, 2016, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a). I further state that I am a Deportation Officer.

This criminal complaint is based on these facts:

**See Attached Statement of Probable Cause Incorporated By Reference Herein**

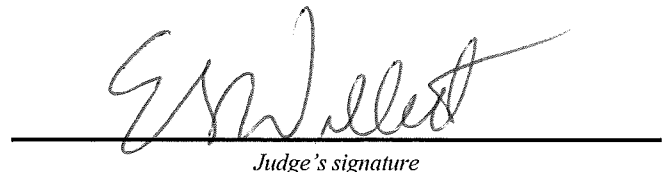
REVIEWED BY: Charles E. Bailey, P.S. for AUSA Sheila A. Phillips

☒ Continued on the attached sheet.

  
Complainant's signature

Darrin J. McNeill,  
Deportation Officer  
Printed name and title

Sworn to before me and signed in my presence.

Date: November 2, 2017

  
Judge's signature
City and state: Phoenix, Arizona
Eileen S. Willett,  
United States Magistrate Judge  
Printed name and title

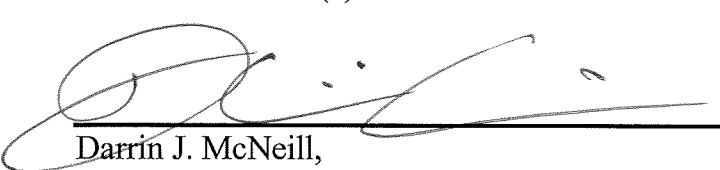
### **STATEMENT OF PROBABLE CAUSE**

I, Darrin J. McNeill, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Deportation Officer with United States Immigration and Customs Enforcement (ICE). I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On October 27, 2017, Jorge Medina-Lizzarraga was arrested by the Phoenix Police Department and booked into the Maricopa County Jail (MCJ) on local charges. While incarcerated at the MCJ, Medina-Lizzarraga was examined by ICE Officer Arrizon who determined Medina-Lizzarraga to be a citizen of Mexico, illegally present in the United States. On that same date, an immigration detainer was lodged with the county jail. On October 31, 2017, Medina-Lizzarraga was released from the MCJ and transported to the Phoenix ICE office for further investigation and processing. Medina-Lizzarraga was held in administrative custody until his criminal and immigration records could be obtained and his identity confirmed.
3. Immigration history checks revealed Jorge Medina-Lizzarraga to be a citizen of Mexico and a previously deported alien. Medina-Lizzarraga was removed from the United States to Mexico through Nogales, Arizona, on or about December 3, 2016, pursuant to the reinstatement of an order of removal issued by an immigration judge. There is no record of Medina-Lizzarraga in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department

of Homeland Security to return to the United States after his removal. Medina-Lizzarraga's immigration history was matched to him by electronic fingerprint comparison.

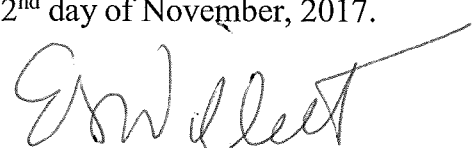
4. On November 1, 2017, Jorge Medina-Lizzarraga was advised of his constitutional rights. Medina-Lizzarraga freely and willingly acknowledged his rights and declined to make any further statements.
5. For these reasons, this affiant submits that there is probable cause to believe that on or about October 27, 2017, Jorge Medina-Lizzarraga, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States to Mexico at or near Nogales, Arizona, on or about December 3, 2016, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).



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Darrin J. McNeill,  
Deportation Officer,  
Immigration and Customs Enforcement

Sworn to and subscribed before me  
this 2<sup>nd</sup> day of November, 2017.



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Eileen S. Willett,  
United States Magistrate Judge